

ORDINANCE NO. 2007-18

**AN ORDINANCE ADDING CHAPTERS REGULATING THE USE OF
CONSUMER FIREWORKS TO TITLE 11 OF THE LAFAYETTE MUNICIPAL CODE-
PUBLIC SAFETY AND NUISANCE**

WHEREAS, The Common Council recognizes its continuing obligation to enact and update ordinances that promote public safety and welfare; and

WHEREAS, pursuant to IC 22-11-14-10.5 a municipality may adopt an ordinance concerning the use of consumer fireworks within the corporate limits of the municipality; and

WHEREAS, the lawful, safe and responsible use of consumer fireworks decreases the chances of injury to persons and property and helps to preserve the livability and tranquility of the City of Lafayette; NOW THEREFORE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA as follows:

**The Following Chapters shall be added to Title 11 of the Lafayette Municipal Code-
Public Safety and Nuisance:**

11.17 Use or discharge of consumer fireworks prohibited except on certain dates and times.

(a) **Firework.** The term “firework” shall be defined as provided in IC 22-11-14-1, AS AMENDED.

(b) **Consumer firework.** The term “consumer firework” shall be defined as provided in IC 22-11-14-1, AS AMENDED.

(c) **Use or discharge of consumer fireworks prohibited except on certain dates and times.** Consumer fireworks may **only** be used or discharged within the City of Lafayette, Indiana on the following dates and times, as provided in IC 22-11-14-10.5:

1. Between the hours of 5:00 p.m. and two (2) hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9;
2. Between the hours of 10:00 a.m. and 12:00 midnight on July 4; and
3. Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.

(d) **Enforcement.** The Fire Chief of the City of Lafayette, or his or her designee, or the Lafayette Police Department is responsible for the interpretation and civil enforcement of this chapter.

(e) **Seizure and forfeiture of consumer fireworks.** Enforcement personnel from the Lafayette Fire Department or the Lafayette Police Department may seize and dispose of consumer fireworks that are used in violation of this chapter.

(f) **Penalty.** In addition to the seizure and disposition of consumer fireworks that are used in violation of this chapter, whoever violates any provision of this chapter shall be fined not more than two hundred and fifty dollars (\$250.00). A separate offense shall be deemed committed on each day that a violation occurs or continues.

Adopted this 2nd day of July, 2007 by a vote of 8 in favor, 0 opposed.

CITY OF LAFAYETTE INDIANA
COMMON COUNCIL

Melissa Weast-Williamson s/s
Melissa Weast Williamson, President

Cindy Murray s/s
ATTEST: Cindy L. Murray, City Clerk

Presented to me to the Mayor of Lafayette, Indiana at 7:00 p.m. this 2nd day of July, 2007

Tony Roswarski s/s
Tony M. Roswarski, Mayor

ATTEST:

Cindy Murray s/s
Cindy L. Murray, City Clerk

Sponsored by: Steve Meyer

PUBLISH: **Friday July, 13, 2007**